



1FW # 3727

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: CADIENTE et al.

Attorney Docket No.: SMBRP001

Application No.: 10/017,893

Examiner: MOY, Joseph Man

Filed: December 12, 2001

Group: 3727

Title: METHOD AND APPARATUS FOR
PACKING AND BI-DIRECTIONAL COOLING
OF PRODUCE

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail on May 7, 2004 in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signed: Sue Funchess
Sue Funchess

AMENDMENT TRANSMITTAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment in the above-identified application.

The fee has been calculated as shown below.

	Claims After Amendment		Highest Previously Paid For	Present Extra	Small Entity Rate Fee	Large Entity Rate Fee
Total Claims	82	MINUS	64	18	x 9 =	x 18 = \$324.00
Independent Claims	12	MINUS	11	1	x 42 =	x 84 = \$84.00
Multiple Dependent Claim Present and Fee Not Previously Paid					\$140.00	\$280.00
Total					\$	\$408.00

- ☒ Applicant(s) believe that no (additional) Extension of Time is required; however, if it is determined that such an extension is required, Applicant(s) hereby petition that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 50-0388 (Order No. SMBRP001).
- ☒ Enclosed is our Check No. 2497 in the amount of \$408.00 to cover the additional claim fee and/or extension of time fees.
- ☒ Please charge any additional fees required to facilitate filing the enclosed amendment, to Deposit Account No. 50-0388 (Order No. SMBRP001).

Respectfully submitted,
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PATENT

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Signed: _____

Sue Funchess
Sue Funchess

**RESPONSE TO RESTRICTION REQUIREMENT
AND AMENDMENT**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to Restriction Requirement dated April 21, 2004, Applicants hereby elect (without traverse) to prosecute the inventive species embodied in Figs. 1-3 and 4 as indicated and delineated by the Examiner in the Restriction Requirement. Accordingly, the Applicants elect as follows:

- Claim 1** which is believed to be consonant with Figs. 1-4;
- Claims 2-15** which are believed to be consonant with, for example, Figs. 1-3;
- Claims 16-17** which are believed to be consonant with, for example, Fig 4;
- Claim 20** which is believed to be consonant with Figs. 1-4;
- Claims 21-30** which are believed to be consonant with, for example, Figs. 1-3;
- Claims 31 and 32**, which are believed to be consonant with, for example, Fig 4;
- Claim 35** which is believed to be consonant with Figs. 1-4;

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Claim 36 which is believed to be consonant with Figs. 1-3;
Claim 37 which is believed to be consonant with Fig. 4;
Claims 38-43 which are believed to be consonant with Figs. 1-3;
Claims 45-48 which are believed to be consonant with Fig. 4;
Claim 50 which is believed to be consonant with Figs. 1-3;
Claims 52-59 which are believed to be consonant with Figs. 1-3;
Claims 61-62 which are believed to be consonant with Figs. 1-3;
Claim 64 which is believed to be consonant with Figs. 1-3; and
Added Claims 65-82 which are also believed to be consonant with Figs. 1-3.

Also, the applicants withdraw **Claims 18, 19, 33, 34, 44, 49, 51, 60 and 63** without prejudice. Applicants reserve the right to reinstate these claims upon allowance of the relevant generic claims.

Additionally, applicants respectfully request that the Examiner enter amendments to the Claims and added claims listed below. It is respectfully requested that the above-referenced patent application be considered in light of these additions and amendments.

Amendments to the Claims are reflected in the listing of the claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 18 of this paper.